



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-2048-2002 (O&M)
Date of decision: 27.04.2026

CHAMAN LAL

. . . . Appellant

Vs.

Jatinder Singh and others

. . . . Respondents

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Ms. Lipika, Advocate, for the appellant.

Mr. V.K. Garg, Advocate, for respondent No.3.

DEEPAK GUPTA, J. (ORAL)

CM-8131-CII-2002

This is an application under Section 151 CPC for condonation of delay of 100 days in refiling the appeal.

2. For the reasons mentioned in the application, the same is allowed and the delay of 100 days in refiling the appeal is hereby condoned.

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3. The present appeal has been filed by the injured—claimant seeking enhancement of the compensation awarded by the learned Motor Accident Claims Tribunal, Jagadhri, vide award dated 16.04.2001.

4. The brief facts, as borne out from the record, are that the appellant sustained injuries in a motor vehicular accident which occurred on 17.04.1999 on account of rash and negligent driving of Trax bearing registration No. HR-01-F-8407. The learned Tribunal, upon appreciation of the evidence, returned a finding that the accident was caused due to the negligence of the driver of the offending vehicle. The said finding has attained finality and is not under challenge in the present appeal.

5. While assessing compensation, the Tribunal awarded a sum of ₹15,000/- to the appellant. Aggrieved by the inadequacy of the said amount, the present appeal has been preferred.

6. Learned counsel for the appellant contends that the compensation awarded is meagre and does not adequately reflect the injuries suffered and expenses incurred. On the other hand, learned counsel for the Insurance Company, while opposing substantial enhancement, has fairly conceded that some reasonable increase may be granted.

7. Having heard learned counsel for the parties and perused the record, this Court finds that the appellant sustained simple injuries on the head and knee. The medical record indicates that no permanent disability has resulted from the injuries. There is also no evidence to suggest that any surgical intervention was required. The amount spent on treatment has been proved to be approximately ₹5,000/-.

8. In cases involving simple injuries without permanent disability, the compensation is generally awarded under the heads of medical expenses, pain and suffering, and incidental expenses such as transportation and special diet. While the Tribunal has awarded a consolidated amount of ₹15,000/-, this Court is of the view that the same falls on the lower side even for simple injuries, particularly when the element of pain, inconvenience, and recovery period is taken into account.

9. The concept of “just compensation” under the Motor Vehicles Act requires that even in cases of simple injuries, the injured is adequately compensated not only for actual expenses incurred but also for the physical pain and inconvenience suffered during the period of treatment and recuperation.

10. Having regard to the nature of injuries, the treatment undergone, and the overall facts and circumstances of the case, this Court deems it appropriate to enhance the compensation to a lump sum of ₹30,000/-.

11. Accordingly, the appellant shall be entitled to an enhanced compensation of ₹15,000/- over and above the amount awarded by the Tribunal.

12. Consequently, the present appeal is partly allowed. The award of the Tribunal stands modified to the extent that the appellant shall be entitled to enhanced compensation of ₹15,000/-, making the total compensation ₹30,000/-.

13. The enhanced amount shall be payable by the respondents jointly and severally along with interest @ 7.5% per annum from the date of filing of the claim petition till realization. Pending application(s), if any, also stands disposed of.

27.04.2026

Vivek

(DEEPAK GUPTA)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>